

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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RONALD H VAN DEN HEUVEL, et al.,

Plaintiff,

v.

Case No. 12-C-327

AI CREDIT CORPORATION,

Defendant.

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**ORDER FOR STATEMENT ON JURISDICTION**

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It is not clear from the record whether Defendants Phoenix Insurance Company (actually Phoenix Life Insurance Company) and Alliance Life Insurance Company of North America are citizens of states other than Wisconsin. The Second Amended Complaint alleges that Defendant Phoenix “is an insurer organized under the laws of the state of New York and having its principal place of business in Connecticut.” Second Amended Complaint, ¶ 9, ECF No. 111. Similarly, the Second Amended Complaint alleges that Alliance is “an insurer organized under the laws of the state of Minnesota and having its principal place of business in Minnesota.” *Id.* ¶ 10. Are the insurers corporations, LLCs, partnerships? The Second Amended Complaint does not say. Absent such information, it is unclear whether or not these defendants are citizens of the same state as Plaintiffs.

The Court addressed a number of jurisdictional questions that arose from the First Amended Complaint, but overlooked the vague allegations concerning these two defendants. *See* Order for Jurisdictional Statement, ECF No. 98. To ensure that the Court has subject matter jurisdiction and

that none of the defendants are citizens of the state of Wisconsin, either plaintiffs or the named defendants shall file with the Court an Affidavit establishing their respective states of citizenship within the next ten days. Failure to do so will result in a dismissal for lack of jurisdiction.

SO ORDERED this 13th day of January, 2014.

s/ William C. Griesbach  
William C. Griesbach, Chief Judge  
United States District Court